

CHAPTER NO. 453

SENATE BILL NO. 492

By Bryson, Fowler, Black

Substituted for: House Bill No. 315

By Lynn, Maggart, Hill, Coleman

AN ACT to amend Tennessee Code Annotated, Section 71-3-502; and to repeal Chapter 713 of the Public Acts of 2004, relative to drug testing of drivers for child care centers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-3-502(d)(7)(C), is amended by adding the following as a new item (iv):

(iv) Such rules shall prohibit a newly hired employee or existing employee who is full-time or part-time, or, as defined by the department, a substitute employee of:

(a) A child care agency; or


(b) A contractor or other persons or entities providing any form of transportation services for compensation to a child care agency, from engaging in any form of driving services involving children in a child care agency until the employee or substitute employee has undergone a drug test and the results are negative for illegal drug use. The rules shall provide exceptions for emergency transportation requirements in limited circumstances, as deemed appropriate by the department.

SECTION 2. Chapter 713 of the Public Acts of 2004 is hereby repealed.

SECTION 3. This act shall take effect July 1, 2005, the public welfare requiring it.

PASSED: May 26, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 18th day of June 2005


PHIL BREDESEN, GOVERNOR